

PTO/SB/21 (09-04)

Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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**TRANSMITTAL
FORM**

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

Application Number	09/644,221
Filing Date	08/22/2000
First Named Inventor	Abha Ahuja
Art Unit	2142
Examiner Name	Mehmet B. Geckil
Attorney Docket Number	52224/296033

ENCLOSURES (Check all that apply)

<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/ Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): 1) PTOL-85B - Fee(s) Transmittal; 2) PTO/SB/47 - Fee Address Indication Form; 3) Notification of Change of Entity Status Pursuant to 37 CFR 1.27; and 4) Notice of Payment of Issue Fee.
<input type="text"/> Remarks		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name	Kilpatrick Stockton LLP		
Signature			
Printed name	Brenda O. Holmes		
Date	02-24-2005	Reg. No.	40,339

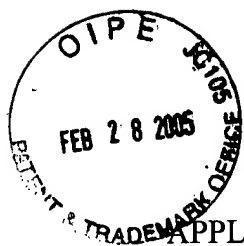
CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:

Signature			
Typed or printed name	Steve Kennedy	Date	02/24/2005

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: **Abha Ahuja**

SERIAL NO.: **09/644,221**

GROUP ART UNIT: **2142**

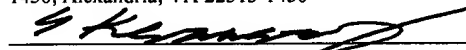
FILED: **August 22, 2000**

EXAMINER: **Mehmet B. Geckil**

FOR: **Method and System for Optimizing
Routing Through Multiple Internet
Route Providers**

CERTIFICATE OF TRANSMISSION UNDER 37 CFR 1.8

I hereby certify that this correspondence is being transmitted to the United States Patent Office on February 24, 2005 via First Class Mail to Mail Stop Issue Fee, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450


Steve Kennedy

Attorney Docket No.: 52224/296033

Mail Stop Issue Fee
Commissioner for Patents
P.O. Box 1450
Alexandria VA 22313-1450

DATE: February 24, 2005

NOTICE OF PAYMENT OF ISSUE FEE

Sir:

Responsive to the Notice of Allowance mailed November 24, 2004, the undersigned attorney in the patent application identified above hereby submits the issue fee.

On November 22, 2004, the applicant filed via First Class Mail, a Request for Continuation Examination (RCE) in order to disclose cited references from a corresponding Japanese patent application. Copies of the RCE and the return receipt postcard are attached hereto as Exhibit "A".

On November 24, 2004, a Notice of Allowance for the patent application was issued by the United States Patent and Trademark Office (USPTO). A copy of the Notice of Allowance is attached hereto as Exhibit "B".

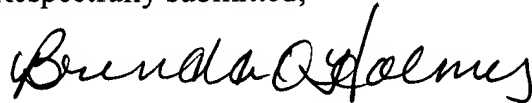
Upon noticing that the RCE and the Notice of Allowance crossed in the mail, the attorney for applicant telephoned the USPTO to request a New or Supplemental Notice of

U.S. Application Serial No. 09/644,221
Notice of Payment of Issue Fee

Allowance. As of this date, according to the Patent Application Information Retrieval (PAIR) database, a New or Supplemental Notice of Allowance has not been issued. A copy of the PAIR search results dated February 24, 2005 is attached hereto as Exhibit "C".

In view of the foregoing, applicant hereby submits the completed issue fee transmittal mailed November 24, 2004 and the issue fee. If there are any issues that can be resolved via a telephone conference, the USPTO is invited to contact the undersigned at 404.685.6799.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Brenda O. Holmes".

Brenda O. Holmes
Reg. No. 40,336
Attorney for Applicant's Assignee

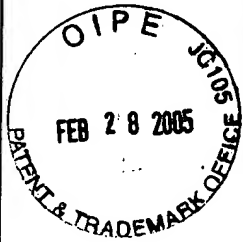
KILPATRICK STOCKTON LLP
1100 Peachtree Street, Suite 2800
Atlanta, Georgia 30309-4530
Receptionist (404) 815-6500
Direct (404) 685 6799
Fax (404) 541 3244

DATE: 11-22-04 PAYEE: Commissioner for Patents

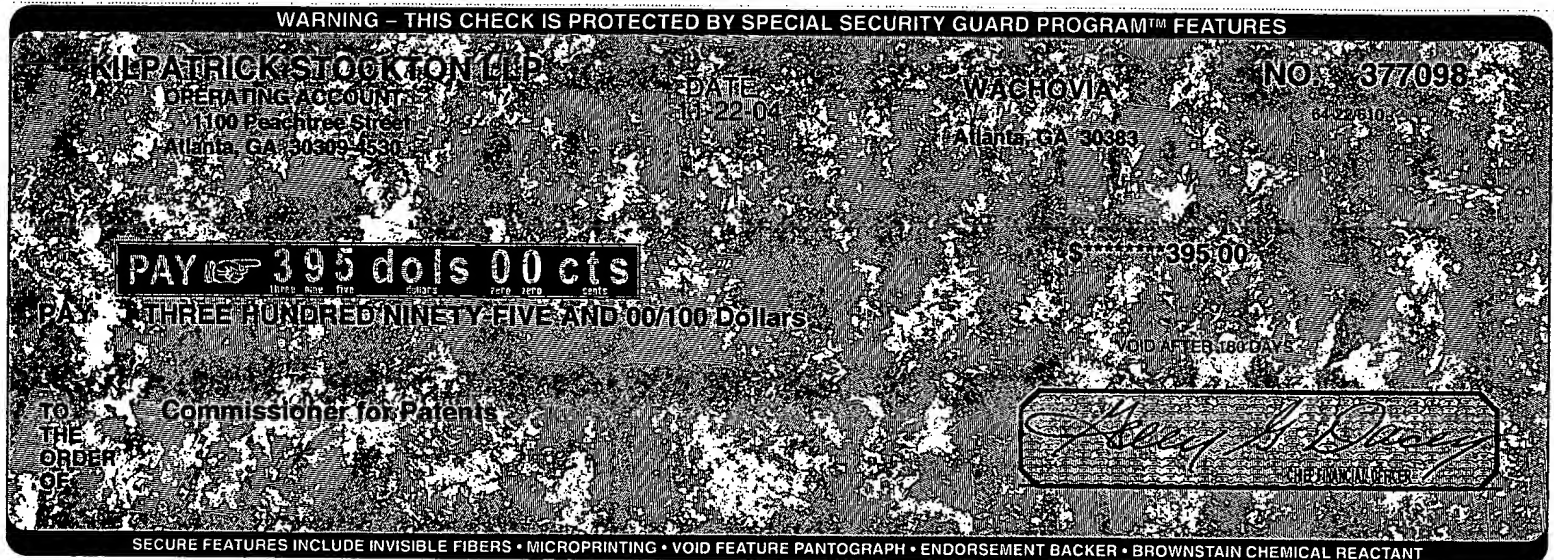
VENDOR # 24959

CHECK #: 377098

REF. #	G/L #	INVOICE #	INV. DATE	DESCRIPTION	AMT. PAID
640116	20999010000000000	112204C	11-22-04	296033 Fee for Request for Continued Examination	395.00
TOTAL					395.00



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⑈ 377098 ⑈ ⑆ 061000227 ⑆ 2000131592388 ⑈

The U.S.P.T.O. official mailroom stamp affixed hereto,
acknowledges receipt of the items listed below.

Applicant(s): Abha Ahuja et al.
Serial No. 09/644,221
Filed: August 22, 2000
Title: Method and System for Optimizing Routing Through Multiple Internet Route Providers

Papers Submitted: Request for Continued Examination (1 pg.); PTO/SB/17 (1 pg.);
Supplemental Information Disclosure Statement (2 pgs.);
PTO/SB/08A (1 pg.); References (5); and Check for \$395.00

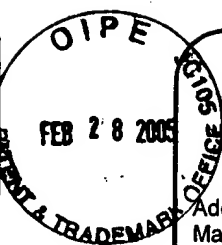
Attorney: BOH/LLA
Date Mailed: November 22, 2004
Atty. Docket No.: 52224/296033

EXHIBIT A

KS Docketing

Docketed for: _____
Entered on: 11/24/04
Initials: CP
Previously Entered: _____

BEST AVAILABLE COPY



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**Request
For
Continued Examination (RCE)
Transmittal**

Address to:
Mail Stop RCE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Application Number	09/644,221
Filing Date	08/22/2000
First Named Inventor	Abha Ahuja
Art Unit	2142
Examiner Name	Mehmet B. Geckil
Attorney Docket Number	52224/296033

This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application.
Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See Instruction Sheet for RCEs (not to be submitted to the USPTO) on page 2.

1. **Submission required under 37 CFR 1.114** Note: If the RCE is proper, any previously filed unentered amendments and amendments enclosed with the RCE will be entered in the order in which they were filed unless applicant instructs otherwise. If applicant does not wish to have any previously filed unentered amendment(s) entered, applicant must request non-entry of such amendment(s).

- a. ☐ Previously submitted. If a final Office action is outstanding, any amendments filed after the final Office action may be considered as a submission even if this box is not checked.
- i. ☐ Consider the arguments in the Appeal Brief or Rely Brief previously filed on _____
- ii. ☐ Other _____
- b. ☒ Enclosed
- i. ☐ Amendment/Reply
- iii. ☒ Information Disclosure Statement (IDS)
- ii. ☐ Affidavit(s)/ Declaration(s)
- iv. ☐ Other _____

2. **Miscellaneous**

- a. ☐ Suspension of action on the above-identified application is requested under 37 CFR 1.103(c) for a period of _____ months. (Period of suspension shall not exceed 3 months; Fee under 37 CFR 1.17(i) required)
- b. ☐ Other _____

3. **Fees**

- The RCE fee under 37 CFR 1.17(e) is required by 37 CFR 1.114 when the RCE is filed.
- The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. 11-0855
- i. ☐ RCE fee required under 37 CFR 1.17(e)
- ii. ☐ Extension of time fee (37 CFR 1.136 and 1.17)
- iii. ☐ Other _____
- b. ☒ Check in the amount of \$ 395.00 enclosed
- c. ☐ Payment by credit card (Form PTO-2038 enclosed)

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Name (Print/Type)	Brenda O. Holmes	Registration No. (Attorney/Agent)	40,339
Signature		Date	11-22-2004

CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop RCE, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450 or facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below.

Name (Print/Type)	Steve Kennedy	Date	11-22-2004
Signature			

This collection of information is required by 37 CFR 1.114. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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FEE TRANSMITTAL
for FY 2005

Effective 10/01/2004. Patent fees are subject to annual revision.

☒ Applicant claims small entity status. See 37 CFR 1.27**TOTAL AMOUNT OF PAYMENT** (\$) 395**Complete If Known**

Application Number	09/644,221
Filing Date	08/22/2000
First Named Inventor	Abha Ahuja
Examiner Name	Mehmet B. Geckil
Art Unit	2142
Attorney Docket No.	52224/296033

METHOD OF PAYMENT (check all that apply)☐ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None☒ Deposit Account:Deposit Account Number
Deposit Account Name

11-0855

KILPATRICK STOCKTON LLP

The Director is authorized to: (check all that apply)

☐ Charge fee(s) indicated below ☒ Credit any overpayments☒ Charge any additional fee(s) or any underpayment of fee(s)☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.**FEE CALCULATION****1. BASIC FILING FEE**

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1001	790	2001	395	Utility filing fee	
1002	350	2002	175	Design filing fee	
1003	550	2003	275	Plant filing fee	
1004	790	2004	395	Reissue filing fee	
1005	160	2005	80	Provisional filing fee	
SUBTOTAL (1) (\$)					

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Total Claims	Extra Claims	Fee from below	Fee Paid
Independent			0
Multiple Dependent			0

Large Entity		Small Entity		Fee Description
Fee Code	Fee (\$)	Fee Code	Fee (\$)	
1202	18	2202	9	Claims in excess of 20
1201	88	2201	44	Independent claims in excess of 3
1203	300	2203	150	Multiple dependent claim, if not paid
1204	88	2204	44	** Reissue independent claims over original patent
1205	18	2205	9	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$) 0

**or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)**3. ADDITIONAL FEES**

Large Entity Small Entity

Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description	Fee Paid
1051	130	2051	65	Surcharge - late filing fee or oath	
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet	
1053	130	1053	130	Non-English specification	
1812	2,520	1812	2,520	For filing a request for <i>ex parte</i> reexamination	
1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action	
1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action	
1251	110	2251	55	Extension for reply within first month	
1252	430	2252	215	Extension for reply within second month	
1253	980	2253	490	Extension for reply within third month	
1254	1,530	2254	765	Extension for reply within fourth month	
1255	2,080	2255	1,040	Extension for reply within fifth month	
1401	340	2401	170	Notice of Appeal	
1402	340	2402	170	Filing a brief in support of an appeal	
1403	300	2403	150	Request for oral hearing	
1451	1,510	1451	1,510	Petition to institute a public use proceeding	
1452	110	2452	55	Petition to revive - unavoidable	
1453	1,330	2453	665	Petition to revive - unintentional	
1501	1,370	2501	685	Utility issue fee (or reissue)	
1502	490	2502	245	Design issue fee	
1503	660	2503	330	Plant issue fee	
1460	130	1460	130	Petitions to the Commissioner	
1807	50	1807	50	Processing fee under 37 CFR 1.17(q)	
1806	180	1806	180	Submission of Information Disclosure Stmt	
8021	40	8021	40	Recording each patent assignment per property (times number of properties)	
1809	790	2809	395	Filing a submission after final rejection (37 CFR 1.129(a))	
1810	790	2810	395	For each additional invention to be examined (37 CFR 1.129(b))	
1801	790	2801	395	Request for Continued Examination (RCE)	395
1802	900	1802	900	Request for expedited examination of a design application	

Other fee (specify)

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$) 395**SUBMITTED BY**

Name (Print/Type)	Brenda O. Holmes	Registration No. (Attorney/Agent)	40,339	Telephone	404.815.6500
Signature	<i>Brenda O. Holmes</i>	Date	11-22-2004		

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

The U.S.P.T.O. official mailroom stamp affixed hereto,
acknowledges receipt of the items listed below.

Applicant(s): Abha Ahuja et al.
Serial No. 09/644,221
Filed: August 22, 2000
Title: Method and System for Optimizing Routing Through
Multiple Internet Route Providers

Papers Submitted: Request for Continued Examination (1 pg.); PTO/SB/17 (1 pg.);
Supplemental Information Disclosure Statement (2 pgs.);
PTO/SB/08A (1 pg.); References (5); and Check for \$395.00

Attorney: BOHLLA
Date Mailed: November 22, 2004
Atty. Docket No.: 52224/296033



ATLLIB02 172178.1

Notice of Allowability

Application No.

09/644,221

Examiner

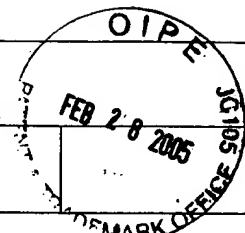
Mehmet B. Geckil

Applicant(s)

AHUJA ET AL

Art Unit

2142



-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 11/11/2004.
2. ☒ The allowed claim(s) is/are 1-3,5,8-13,16-21,24-29,32-36,38,41-46,49-54,57-62 and 65-81.
3. ☒ The drawings filed on 12/01/00 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying Indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date _____
7. ☐ Examiner's Amendment/Comment
8. ☐ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

MEHMET B. GECKIL
PRIMARY EXAMINER

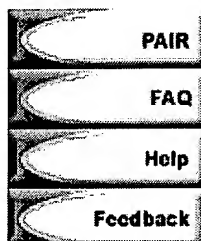
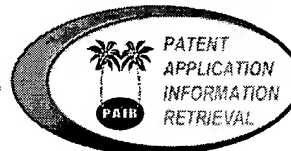
Mehmet B. Geckil



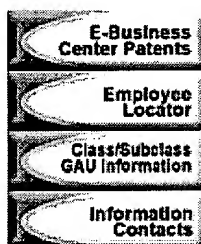
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PATENT APPLICATION INFORMATION RETRIEVAL



Other Links



Printer Friendly Version

Search results as of: 2-24-2005::8:38

Search results for application number:09/644,221			
Application Number:	09/644,221	Customer Number:	23370
Filing or 371(c) Date:	08-22-2000	Status:	Notice of Allowance Mailed -- Application Received in Office Publications
Application Type:	Utility	Status Date:	02-08-2005
Examiner Name:	GECKIL, MEHMET B	Location:	ELECTRONIC
Group Art Unit:	2142	Location Date:	-
Confirmation Number:	1420	Earliest Publication No:	-
Attorney Docket Number:	P1188	Earliest Publication Date:	-
Class/ Sub-Class:	709/238	Patent Number:	-
First Named Inventor:	Abha Ahuja, Seattle, WA	Issue Date of Patent:	-
Title Of Invention:	METHOD AND SYSTEM FOR OPTIMIZING ROUTING THROUGH MULTIPLE AVAILABLE INTERNET ROUTE PROVIDERS		

Select Search Option

☒ Assignments
☐ Continuity Data
☐ Display References
☐ Image File Wrapper
☐ Patent Term Adjustment History
☐ Publication Review

File History	
Date	Contents Description
02-08-2005	Receipt into Pubs
12-09-2004	Workflow - File Sent to Contractor
11-24-2004	Workflow incoming amendment IFW
11-24-2004	Workflow - Request for RCE - Begin
11-24-2004	Mail Notice of Allowance
11-22-2004	Issue Revision Completed
11-22-2004	Notice of Allowance Data Verification Completed
11-22-2004	Notice of Allowability
11-18-2004	Date Forwarded to Examiner
11-11-2004	Amendment after Final Rejection

10-08-2004	Mail Final Rejection (PTOL - 326)
10-06-2004	Final Rejection
08-12-2004	IFW TSS Processing by Tech Center Complete
08-12-2004	Date Forwarded to Examiner
07-02-2004	Response after Non-Final Action
08-12-2004	Correspondence Address Change
08-13-2004	Change in Power of Attorney (May Include Associate POA)
08-15-2001	Reference capture on IDS
06-21-2004	Reference capture on IDS
06-21-2004	Information Disclosure Statement (IDS) Filed
07-02-2004	Workflow incoming amendment IFW
03-29-2004	Mail Non-Final Rejection
03-25-2004	Non-Final Rejection
03-19-2004	Case Docketed to Examiner in GAU
12-17-2003	Case Docketed to Examiner in GAU
09-09-2003	Case Docketed to Examiner in GAU
08-19-2003	Case Docketed to Examiner in GAU
11-12-2002	Case Docketed to Examiner in GAU
10-04-2002	Case Docketed to Examiner in GAU
08-15-2001	Information Disclosure Statement (IDS) Filed
04-23-2001	Supplemental Papers - Oath or Declaration
02-16-2001	Case Docketed to Examiner in GAU
01-09-2001	Application Dispatched from OIPE
12-28-2000	Application Is Now Complete
12-22-2000	Correspondence Address Change
10-04-2000	Notice Mailed--Application Incomplete--Filing Date Assigned
10-04-2000	Correspondence Address Change
09-08-2000	IFW Scan & PACR Auto Security Review
12-01-2000	Initial Exam Team nn

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